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Security Council

Sixty-eighth year

Provisional

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Tuesday, 12 February 2013, 10 a.m.
New York

President:	Mr. Kim Sung-hwan/Mr. Kim Sook	(Republic of Korea)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Azerbaijan	Mr. Mammadyarov
	China	Mr. Wang Min
	France	Mr. Araud
	Guatemala	Mr. Rosenthal
	Luxembourg	Ms. Lucas
	Morocco	Mr. Loulichki
	Pakistan	Mr. Masood Khan
	Russian Federation	Mr. Churkin
	Rwanda	Ms. Mushikiwabo
	Togo	Mr. Menan
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice

Agenda

Protection of civilians in armed conflict

Letter dated 4 February 2013 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General (S/2013/75)

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The meeting was called to order at 11.05 a.m.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflict

Letter dated 4 February 2013 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General (S/2013/75)

The President: I wish to warmly welcome the Secretary-General, the ministers and other representatives present in the Security Council Chamber. Their participation is an affirmation of the importance of the subject matter under discussion.

Under rule 37 of the Council's provisional rules of procedure, I invite the representatives of Armenia, Austria, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Canada, Chile, Colombia, the Democratic Republic of the Congo, Costa Rica, Croatia, Cuba, Ecuador, Egypt, Estonia, Georgia, Germany, Hungary, India, Indonesia, Ireland, the Islamic Republic of Iran, Israel, Italy, Japan, Jordan, Liechtenstein, Lithuania, Malaysia, Mexico, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, Portugal, Qatar, Senegal, Spain, South Africa, Sri Lanka, the Sudan, Sweden, Switzerland, the Syrian Arab Republic, the United Republic of Tanzania, Turkey, Uruguay and the Bolivarian Republic of Venezuela to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Philip Spoerri, Director for International Law and Cooperation of the International Committee of the Red Cross, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Ekmeleddin İhsanoğlu, Secretary-General of the Organization of Islamic Cooperation, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Ioannis Vrailas, Deputy Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2013/75, which contains a letter dated 4 February 2013 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General transmitting a concept paper on the item under consideration.

I sincerely hope that today's open debate will contribute to sharing the urgent sense among the United Nations membership that the situations endured by civilians in many of today's conflicts require renewed attention. At the same time, we hope that such attention can translate the progress that has been made in the normative framework of international humanitarian law into concrete action. It is my firm belief that today's debate will be a valuable and timely opportunity to renew our joint resolve on the issue.

I now give the floor to the Secretary-General, His Excellency Mr. Ban Ki-moon.

The Secretary-General: Before I turn to the subject of this meeting, let me say a few words about the appalling underground nuclear test conducted by the Democratic People's Republic of Korea.

I strongly condemn Pyongyang's reckless act, which shows outright disregard for the repeated call of the international community that it refrain from further provocative measures. The test is a clear and grave violation of the relevant resolutions of the Security Council.

Together with the rest of the international community, I have repeatedly called on the new leadership in Pyongyang to give up its pursuit of nuclear weapons, to address international concerns through dialogue, and to start building confidence with neighbouring countries, particularly the Republic of Korea, and the international community. I have also appealed to Pyongyang to focus its energies on ensuring a better future for the country's people by addressing the dire humanitarian and human rights situation. Regrettably, my appeals have fallen on deaf ears.

I am profoundly concerned about the negative impact of this act on regional stability. It is deplorable that Pyongyang has chosen the path of defiance. This third nuclear test by Pyongyang is a serious challenge to global efforts to curb nuclear proliferation. The Democratic People's Republic of Korea is the only

country that has carried out nuclear tests in the twenty-first century. The authorities in Pyongyang should not be under any illusion that nuclear weapons will enhance their security. To the contrary, as Pyongyang pursues nuclear weapons, it will suffer only greater insecurity and isolation.

I am encouraged by the swift and overwhelming international condemnation of this wanton act. This is a direct challenge to the Security Council. It is absolutely essential that the Council act and speak with one voice and engage with the Democratic People's Republic of Korea in a unified manner. I welcome the press statement just issued by the members of the Council in that regard. I will remain in close contact with all concerned parties, and I stand ready to support their efforts.

I thank the Republic of Korea for convening today's debate and His Excellency Mr. Kim Sung-hwan, Minister for Foreign Affairs of the Republic of Korea, for coming to participate in this very important meeting.

Since the Security Council last addressed this issue (see S/PV.6790), civilians have remained subject to unacceptable threats to life and dignity in conflict zones worldwide. Warring parties have continued to violate human rights and international humanitarian law with impunity. And the efforts of United Nations and other humanitarian actors to provide assistance and protection have been hampered by violence. Every day, civilians are killed or maimed in targeted or indiscriminate attacks. Women, girls, men and boys are raped in front of their families. Children and youths are abducted, held in sexual slavery or compelled to take up arms and inflict abuses on their own communities — scarring them for life. Families are forced from their homes into a state of desperation and dependency from which they may never escape.

In Syria, every day provides a searing reminder of the human cost of war. Four million people are in urgent need of humanitarian assistance. More than 2 million people have fled their homes. Many lack even the most basic services. Sexual violence is a constant threat. The volatility of the security situation, logistical challenges and bureaucratic constraints are hampering the response effort. The international community needs access to all areas so we can reach more people in need.

The situation in Syria is particularly acute and intractable, but in Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Mali, Myanmar, Somalia, South Sudan, the Sudan and elsewhere, civilians continue to suffer and die as parties to conflict ignore their obligations to protect.

But, let us remember that the obligation does not rest solely with warring parties. We all have a responsibility to protect. Failure to protect civilians in armed conflict can contribute directly to the commission of atrocity crimes. Violence against civilians is also unquestionably abetted by the free flow of weapons. This underlines the importance of next month's arms trade treaty negotiations. We urgently need a robust and comprehensive agreement that addresses the humanitarian impact of the poorly regulated trade in arms.

My internal review panel on United Nations action in Sri Lanka raised important issues concerning how the United Nations and Member States could strengthen the protection of civilians in armed conflict. The recommendations are undergoing internal review, and I will report on them later this year.

In previous reports to the Council, I have welcomed the informal experts group on the protection of civilians as an important forum for keeping the Council informed of protection developments on the ground. I encourage this practice to continue and the Council to explore ways to make greater use of the Group. My reports have also recommended steps for enhancing the protection of civilians that I would like to emphasize again.

First, all parties to conflict should avoid using explosive weapons with wide-area effect in populated areas. This includes roadside bombs, heavy weapons and artillery, and air strikes. I urge the Council to recognize and act on this fundamental humanitarian issue. My next report will provide concrete recommendations for consideration.

Secondly, the Council must emphasize that States bear the primary responsibility for the protection of civilians. Where there are peacekeeping missions, the United Nations will do its utmost to support States to fulfil their obligations, in line with our Human Rights Due Diligence Policy. I urge the Council to take a strong and visible lead in protecting civilians and pursuing accountability for violations of international human rights and humanitarian law. In this regard, I welcome the debate triggered by the call of some Member States for the Council to refer the situation in Syria to the International Criminal Court.

Thirdly, States should recognize the need for consistent engagement by humanitarian actors with all relevant State and non-State actors. This is essential to ensuring improved compliance with international humanitarian and human rights law, as well as safe access to populations in need.

Fourthly, all relevant authorities should expedite administrative, visa, travel and customs procedures to facilitate the rapid and unimpeded passage of relief consignments, equipment and personnel to people in need of protection and assistance. We need accountability for grave denials of access and for attacks against humanitarian workers.

Fifthly, I urge the Council to make greater use of commissions of inquiry and fact-finding missions mandated by the United Nations to investigate and verify alleged violations of human rights and international humanitarian law. It is important for accountability, justice and protection to support timely follow-up on their findings.

Finally, the Council must ensure that peacekeeping operations mandated with protecting civilians have adequate resources. It is particularly important that they be equipped to respond to conflict-related sexual violence. States that contribute military and police personnel to missions should be supported to ensure that they are trained to be proactive in addressing the unique vulnerability of women and children. That includes partnering with human rights and other civilian components to prevent and respond to human rights and humanitarian law violations.

Next month, the Commission on the Status of Women will address conflict-related sexual violence as part of its theme of "Ending violence against women". I count on Member States to use the meeting to make practical commitments to ending sexual and gender-based violence in all its forms.

Today's debate is an important opportunity for the Council and Member States to reflect on the impact of armed conflict on civilians and on the actions that need to be taken to increase compliance with international law and fulfil the Council's commitment to protection. The Council's continued and consistent discussion of this issue is essential. I urge Council members to bring all their considerable powers to bear on reducing the unacceptable toll that conflict is taking on civilians every day.

The President: I thank the Secretary-General for his statement.

I now give the floor to Ms. Pillay.

Ms. Pillay: Let me follow the words of the Secretary-General by beginning with with Syria. At my latest briefing to the Security Council, 60,000 people had already been killed. That figure is probably now approaching 70,000. The Security Council is at its best when it acts with a unified voice. The lack of consensus on Syria, and the resulting inaction, has been disastrous. Civilians on all sides have paid the price. We will be judged against the tragedy that has unfolded before our eyes. The Council, as well as those of us in key positions within the United Nations, will be rightly asked what we did.

One immediate action that the Council could take is clear, namely, refer Syria to the International Criminal Court. That would send a clear message to both the Government and the opposition that there will be consequences for their actions. It could also have a very significant preventive effect.

In contrast, the Council has achieved political consensus regarding the situation in Mali. I welcome the Council's provision for United Nations human rights monitoring there. The protection of human rights is key to stabilizing the situation. My Office is deploying human rights officers in the country, with the first having arrived in Bamako at the end of last week.

As the situation evolves, attacks and reprisals risk driving Mali into a catastrophic spiral of violence. I call on all parties to the conflict to abide by international human rights and humanitarian law and to prevent retaliation.

The Council is increasingly making use of human rights components in peacekeeping and special political missions, often in response to concerns for the protection of civilians from human rights abuses. Human rights components provide fundamental support to the overall mandate of peace missions through strong, impartial and independent human rights monitoring and reporting. Through that, they bring critical information to the Council and support local authorities in directly addressing human rights concerns.

In Afghanistan, the Council's decision to provide a strong human rights mandate to the United Nations Assistance Mission in Afghanistan (UNAMA) allows the international community to have an authoritative

account of the protection-of-civilians challenges and the responsibility of all parties for protecting them. Currently, according to UNAMA, insurgents' indiscriminate use of improvised explosive devices (IEDs) account for 53 per cent of all civilians killed or wounded. I call again on all anti-Government groups in Afghanistan to cease targeting civilians and stop the use of IEDs and other illegal tactics.

In the eastern part of the Democratic Repulic of the Congo, the human rights component of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo has reported to the Council on recent large-scale and serious violations. To end that cycle of violence, I encourage the Council to include an accountability element in its interaction with all parties in that country and in neighbouring countries.

Given the ongoing conflict in Somalia and recent events in the Central African Republic, independent and stronger human rights monitoring is essential also in those countries. Human rights information will allow the Council to measure progress against its mandated objectives in those countries.

I also urge the Council to provide for a stronger human rights monitoring capacity in the peacekeeping mission in Abyei. That would help the mission and the international community to respond proactively to the fragile situation in the border area.

The recent expulsion of a human rights officer by the South Sudanese Government, without any valid justification, sets a dangerous precedent that does not facilitate the mission's efforts to protect civilians. I join Special Representative Johnson in asking the Government to reconsider its decision.

I wish to thank the Secretary-General and Deputy Secretary-General for their leadership in launching a follow-up process to the Petrie report, which reviewed United Nations action in Sri Lanka. The report highlights systemic failings that extend across responses to many situations and indicates that important recommendations of the 1999 United Nations independent inquiry on Rwanda have not been implemented. It is time for us to find a way to do better. In that context, my Office looks forward to working towards addressing this issue. Let me highlight four areas where there is need for improvement.

First, early and credible information on human rights and international humanitarian law violations can make it easier for the Council and the wider United Nations system to reach consensus and make informed decisions. While information technology facilitates early warning, it cannot replace impartial, reliable and timely expert monitoring and reporting on respect for international law. Far too often, before monitoring and reporting on human rights violations, the United Nations waits many months until we deploy staff on the ground. Sometimes access is denied expressly to prevent reporting. United Nations protection of civilians cannot be held hostage to delayed deployments or a lack of access. We must have the capacity and structures to monitor from Headquarters, when needed, and to provide Member States and policy makers with the best available information.

Secondly, the United Nations can strengthen its sense of common purpose and management. The Petrie report points to the problematic tendency of United Nations entities to compartmentalize our approach to a situation rather than providing Member States with a holistic analysis. Compartmentalization not only leads to duplication, but can also side-line human rights concerns.

Thirdly, the United Nations should offer a wider range of tools for intervention on the ground. Small and discrete models of field operations with short lifespans can be deployed quickly at limited cost and in close consultation with the regional States and national authorities. Such deployments provide a non-intrusive means of United Nations action that may be attractive where States wish to support an early United Nations response to serious concerns with regard to the protection of civilians, so long as it is light and limited. The use of large peacekeeping operations can be deployed later where needed.

Fourthly, both the Rwanda and the Petrie reports are clear in stating that the single most important element for United Nations protection of civilians is early political consensus among Member States acting through the United Nations. I hope that we in the Secretariat can better support Member States in their efforts to reach early consensus.

Effectiveness, integrity, courage and accountability are what the people we are trying to protect expect from us. That is what should guide our interactions when dealing with the killing of many people. There will always be some disagreement within the international community as to how to respond to a given situation, but when tens of thousands of civilian lives are threatened,

as is currently the case in the Syrian Arab Republic, the world expects the Security Council to unite and act.

The President: I thank Ms. Pillay for her briefing.

I now give the floor to Mr. Spoerri.

Mr. Spoerri: On behalf of the International Committee of the Red Cross (ICRC), I am pleased and honoured to once again brief the Security Council, and I thank the Republic of Korea for the invitation.

Since I last addressed members of this Council eight months ago (see S/PV.6790), a number of armed conflicts have seen a resurgence or have intensified, and others have continued to rumble on, as they have for many years. All of them, regardless of their causes or where they are in the world — be it in the Syrian Arab Republic or Mali, the Democratic Republic of the Congo or Afghanistan — have at least one thing in common. In all of them, the grim reality is that civilian men, women and children continue to suffer the overwhelming burden of the fallout, while efforts to protect those civilians are fraught with difficulties.

During the debate held in June 2012, I focused on three issues of fundamental concern to the ICRC. The continuing urgency of those issues justifies my returning to them today. They are, first, threats affecting access to health care for the wounded and sick in armed conflicts and other emergencies; secondly, the availability and use of arms; and thirdly, the overarching lack of compliance with international humanitarian law on the part of States and non-State armed groups, which lies at the heart of the massive suffering to which we are witness.

On the issue of violence against health care personnel and facilities, I will start with some modest but encouraging good news. Following the adoption of a far-reaching resolution on health care in dangerous situations at the thirty-first International Conference of the Red Cross and Red Crescent, held in Geneva in December 2011, the ICRC began a series of consultations with States and other major stakeholders on making the delivery of health care safer in dangerous situations worldwide. Some concrete steps have already been taken. A series of experts' workshops, which began in 2012 and will continue into 2014, has mobilized health authorities, medical associations, national Red Cross and Red Crescent Societies and non-governmental organizations from around the world. They have helped to raise awareness and understanding of the issue and have put forward practical recommendations for safe practices. States have in some cases, of their own volition, undertaken diplomatic initiatives aimed at facilitating the delivery of health care in conflict-affected countries. In others — Colombia and Yemen, for example — they have taken specific steps towards ensuring respect for health care structures and personnel in their own countries.

Sadly, the good news cannot detract from the bad. ICRC health care data for 2012 shows that the vast majority of violent incidents, or over 80 per cent of the almost 900 incidents recorded in 22 countries, affect local health care workers. Of those health workers caught up in such incidents, around 25 per cent were killed or wounded. In some cases, secondary explosions targeted those trying to assist the victims of an initial explosion, a particularly repugnant practice causing further injury and death and preventing care from reaching those who urgently need it. A further trend with sometimes catastrophic consequences is the large-scale flight of health workers in the face of attacks, threats or general insecurity.

Thus, while there may be some steps in the right direction, much more needs to be done. As States bear the primary responsibility for improving the situation, the ICRC once again urges members of the Council to initiate or actively support efforts to tackle this pressing humanitarian concern and to influence others to do the same. Indeed, that is required under the obligation to respect and ensure respect for international humanitarian law in accordance with common article 1 of the 1949 Geneva Conventions.

That brings me to the second major concern, which is closely linked with the first, and that is the massive circulation and widespread availability of arms and ammunition. In many contexts, that may put civilians at a risk of being wounded or killed after an armed conflict has ended equal to the risk during the conflict. The poorly regulated international trade in conventional arms, including the inadequate standards for their transfer, is at least partly to blame.

A strong and effective arms trade treaty is urgently needed to enhance the protection of civilians as well as health-care and humanitarian workers working to assist those who are most vulnerable and to help ensure that international humanitarian law is respected by all parties to armed conflicts, be they international or non-international in nature.

The next diplomatic conference, to be held in just a few weeks' time, will be a golden opportunity, which we urge States to seize decisively in order to redouble their efforts to ensure the adoption of a robust arms trade treaty, one that sets strict criteria for all transfers of all conventional arms. The ICRC remains committed to helping to achieve that goal, working with States, national Red Cross and Red Crescent Societies, the United Nations and other organizations.

The third major concern — namely, the prevailing lack of respect for international humanitarian law by both States and non-State armed groups, coupled with a dominant culture of impunity — is the main common denominator of all other protection concerns. Some progress has undoubtedly been made at both the national and the international levels to improve compliance and accountability. That ranges from the implementation of domestic legislation to the training of security forces and the judicial processes of the international criminal tribunals. In addition, in 2011, the International Conference of the Red Cross and Red Crescent endorsed the ICRC proposal to further work aimed at strengthening legal protection for people affected by armed conflict. The joint Swiss-ICRC initiative to strengthen compliance with international humanitarian law has gained momentum, with an increasing number of States engaging in substantive discussions on that issue.

The ICRC works at all levels — diplomatic, policy and operational — towards ensuring better respect for international humanitarian law. To be credible and effective, that requires a rigorously impartial, neutral and independent approach, one that remains consistently distinct from any kind of political or judicial process. That in turn helps to facilitate dialogue with parties on all sides to a conflict and humanitarian access to people in need. Protection lies at the heart of the ICRC mandate and mission and provides a framework for our assistance activities.

Of course, there are numerous challenges and constraints that make that task all the more difficult. The humanitarian environment is an increasingly complex one. Just one aspect of that is the sometimes baffling array of new actors, both those involved in armed conflict and those responding to its humanitarian consequences, with at times a blurred line between the two. Increasing numbers of civilian and military actors are working for the protection of civilians with very different mandates, objectives and approaches. At the same time, the limitations on access to people in need of protection that have been imposed by States and non-State actors are a severe constraint in numerous situations of armed conflict.

The challenge here is to clearly distinguish and separate principled humanitarian action from pure relief assistance. Whereas the latter may have military, political or economic objectives underpinning it, the former must always be based purely on actual needs. Blurring the lines between the two ultimately complicates or hinders impartial humanitarian access to people on both sides of a conflict for all actors. To that end, the principles of humanity and impartiality must be the essential guide for all humanitarian actors, regardless of their particular mandate or approach.

As the ICRC marks its 150th anniversary this week, it is a fitting moment to reflect on not only the profound changes in the humanitarian environment over the years and the necessity to adapt to those changes, but also on what has remained constant. Henri Dunant's vision of humane treatment for wounded and captured soldiers on all sides — which has extended to one of providing protection and assistance to all people affected by armed conflict, on the basis of humanitarian need alone — must surely remain the bedrock of humanitarian action, as much today, as was the case 150 years ago. The desire and ambition to uphold human dignity, even in the midst of armed conflict, must surely continue to be our common goal. Respect for the laws of war also provides the foundation on which people can rebuild and recover after conflict has ended.

Tackling the problems ranging from combatting violence to health care workers, ensuring the adoption of a strong arms trade treaty to taking concrete measures to improve compliance with international humanitarian law would already represent great strides towards achieving our common goal. I end, therefore, with the ICRC's urgent plea to the members of the Council to do all they can to address those issues.

The President: I thank Mr. Spoerri for his briefing.

I shall now make a statement in my capacity as the Minister for Foreign Affairs and Trade of the Republic of Korea.

Before I proceed to the main topic of today's open debate, let me briefly touch upon the nuclear test conducted by North Korea last night. That country's nuclear test constitutes a flagrant violation of resolutions 1718 (2006), 1874 (2009) and 2087 (2013).

It poses a direct challenge to the whole international community, as well as an unacceptable threat to the peace and security of the Korean peninsula and North-East Asia.

Just an hour ago, the members of the Security Council strongly condemned North Korea's nuclear test with one voice and decided to begin working immediately on adopting a Security Council resolution to take necessary measures. The Government of the Republic of Korea, as President of the Security Council for the month of February, will cooperate closely with the international community.

I would now like to deliver my statement on the main topic of the open debate today.

It is a great honour for me to be here today and preside over this open debate on the protection of civilians in armed conflict. I would like to express my sincere appreciation to the Secretary-General, the High Commissioner for Human Rights and the Director for International Law and Cooperation of the International Committee of the Red Cross for joining us today. I also welcome the presence of Ms. Louise Mushikiwabo, Minister for Foreign Affairs and Cooperation of the Republic of Rwanda; Mr. Elmar Maharram oglu Mammadyarov, Minister for Foreign Affairs of the Republic of Azerbaijan; and Mr. Antonio de Aguiar Patriota, Minister for External Relations of Brazil.

Despite significant normative progress in the protection of civilians in armed conflict, civilians are still suffering the direct effects of armed conflicts on the ground. They have been killed, injured, kidnapped and forced to leave their homes. It is deeply regrettable that civilians continue to represent the majority of the victims of conflict in many parts of the world today. The widespread violations of international humanitarian law and human rights law trouble us all. The Security Council needs to remain ever vigilant to address that situation.

The deteriorating situation in Syria is of particular concern to us. It is alarming that, according to the recent briefing by the High Commissioner for Human Rights, more than 60,000 Syrian citizens have been killed. While it is hard to know the exact number of non-combatant casualties, it is clear that civilians are bearing the brunt of the continuing violence. They are also subject to humanitarian tragedy.

Against that backdrop, I would like to emphasize the following three points. First, I would like to underline the need to bolster accountability for violations of international humanitarian and human rights law, which I believe is crucial for the protection of civilians. Countering impunity is not only a significant tool in preventing further violations against civilians, but also an essential factor in ensuring an effective reconciliation process.

While national authorities have the primary responsibility to provide accountability, the Security Council should be able to play a more active role where national authorities fail to do so. The Council needs to contribute towards ensuring accountability at the international level, including through the referral of relevant situations to the International Criminal Court.

In order to ensure accountability, it is also important to investigate and document violations of international humanitarian and human rights law in armed conflicts. That is a significant prerequisite for bringing perpetrators of crimes to justice. In that regard, we support the continued efforts of the entire United Nations system, including the Office of the United Nations High Commissioner for Human Rights and the Human Rights Council, which has established several commissions of inquiry and special procedures.

Secondly, there is an urgent need to ensure timely and unhindered humanitarian access, as well as the safety and security of humanitarian workers. Impediments to humanitarian access in violation of applicable humanitarian law should be condemned and removed immediately. It is of particular concern that violence against humanitarian workers, including their abduction and killing, continues to threaten humanitarian activities in many armed conflict situations.

Resolution 1894 (2009) invited the Secretary-General to continue the systematic monitoring and analysis of constraints on humanitarian access. I am pleased that a detailed analysis of the problem was provided in the Secretary-General's report of last year on the issue (S/2012/376). As the report rightly pointed out, constraints on humanitarian access are varied in nature. States and other parties to conflict need to work closely with humanitarian organizations to identify appropriate, context-specific solutions and strategies to allow humanitarian assistance and reduce the security risks of humanitarian workers.

Thirdly, particular attention needs to be paid to the various forms of violence against women and

children in armed conflict. It is deeply regrettable that sexual violence, including rape, remains a prominent feature of armed conflict, affecting women and girls in many parts of the world. While all civilians need to be protected, we need to remain concerned about the particular vulnerabilities of women and girls. I believe that ending violence against women should be pursued during the entire process of conflict resolution and peacebuilding. I would like to underline once again the significance of ensuring accountability for those responsible for violence against women. In addition, as Security Council resolution 1325 (2000) recognized, we need to enhance women's empowerment, including their participation in peacekeeping operations and post-conflict reconstruction processes.

Before concluding, I would like to pay tribute to the United Nations peacekeepers and humanitarian workers, who are working hard to protect civilians around the world and to ease their hardship.

I now resume my functions as President of the Security Council.

Ms. Mushikiwabo (Rwanda): I would like to commend the President of the Council for convening this important debate on the protection of civilians and for the draft presidential statement which will be adopted today. I also thank the Secretary-General for his informative briefing, as well as High Commissioner for Human Rights Pillay and Mr. Spoerri for their valued contributions and briefings this morning.

The protection of civilians is a very personal issue for my country, Rwanda. In 1994, a genocide claimed the lives of nearly 1 million Rwandans. Rwandans wince in sympathy when they see images of civilians under threat elsewhere in the world today.

My country's core message today is that enhancing the protection of civilians in armed conflict requires action before the conflict starts. The proliferation of non-State armed groups makes civilian protection both more urgent and harder to achieve. In particular, I wish to emphasize the importance of increasing investments in the professionalization of military and police forces, especially adequate training in the protection of civilians. Only when the leadership of armed forces shares the international community's preoccupation with civilian protection will we see decisive progress made.

As a result of the experience of Rwanda, we feel a moral obligation to participate as vigorously as possible in activities, such as United Nations peacekeeping operations, that increase protection for civilians in armed conflict. We also take very seriously all efforts, such as that in which we are engaged today, to strengthen international norms to reduce tolerance for such crimes.

In that regard, I would like to begin my remarks on a note of optimism. Significant progress has indeed been made in the evolution of international norms since the genocide in my country 19 years ago. Normative progress is slow, built year by year and resolution by resolution, almost imperceptibly. It can sometimes seem like we are just repeating ourselves, but the cumulative effect is dramatic. Each year, the consensus grows stronger that the protection of civilians and the prevention of crimes, ethnic cleansing, and crimes against humanity are a fundamental duty of each State, as well as a legitimate and necessary focus of collective action in the international system.

The impetus to rethink international norms comes in large part from the effort to comprehend what happened in conflicts such as the tragedy of Rwanda in 1994. The world's response to crimes has been to withdraw international forces, particularly in my country 19 years ago, and in some cases to refuse outright to provide protection. Yet I believe that the course of action adopted by the international community in 1994 and the concepts used to justify it would not be acceptable today — hence, my optimism. Rwanda would be pleased if the end result of the process of introspection were to be a world that is much more resistant to crimes and mass atrocities. And if we keep working together, I believe that we can get there.

Evidence that progress is possible should encourage us to redouble our efforts, yet we must not neglect the urgent challenges that confront us at this very moment. Civilians are at serious risk today in Syria, the Sudan, South Sudan, Mali and the Democratic Republic of Congo — right in our neighbourhood — and the Council is likely to face new situations of armed conflict in the months and years ahead. My country's experience explains why we are proud to co-chair, together with the Netherlands, the Group of Friends on the Protection of Civilians. Indeed, I would like to take this opportunity to connect our debate on the protection of civilians more concretely to the evolving norm of the responsibility to protect.

Two features of that norm — prevention and the danger of incitement, as set out in paragraph 138 of

the 2005 World Summit Outcome (General Assembly resolution 60/1) — have not been emphasized often enough. I believe that the best way to enhance the protection of civilians in armed conflicts is to move from a mindset of conflict management to one of prevention. Moreover, individual States and United Nations peacekeeping missions must become more sensitive to often subtle forms of incitement that lay the groundwork for crimes against humanity, and work to curtail it before it is too late.

I would like to address two further aspects of the core challenges identified by the Secretary-General in his 2009 report (S/2009/277) — first, enhancing the implementation of protection mandates by United Nations peacekeeping missions, and secondly, enhancing accountability for violations of international humanitarian and human rights law.

On peacekeeping, my country Rwanda welcomes the continued development of strategies to protect civilians and operational baselines through the guidance of the Special Committee on Peacekeeping Operations. Rwanda currently contributes to seven United Nations peacekeeping missions. In line with the lessons we learned about rebuilding after the genocide, we do not approach peacekeeping as an exclusively military task. We believe that early peacebuilding is critical to the success of missions, and that adequate resources should be directed to complement uniformed personnel as they fulfil their mandate to protect civilians.

Effective measures need be neither costly nor controversial. For example, within their areas of patrol with the African Union-United Nations Hybrid Operation in Darfur, Rwandan peacekeepers have introduced an energy-efficient stove that was developed in Rwanda back in the year 2000 to protect the environment. Because the stoves use less firewood, women and children do not have to venture as far to collect wood, thereby reducing the risk of brutal attacks and rape that often accompany their search.

Another example is increasing the number of trained female peacekeepers. Female peacekeepers are often better able to intervene in specific situations concerning women and children, particularly in specific cultural contexts. Rwanda is a leading contributor of female police officers to United Nations peacekeeping missions, and we have seen these officers combat gender-based violence and raise awareness in the communities they serve in ways that have made peacekeepers better able to do so.

Ensuring that all necessary capabilities are deployed in support of peacekeepers is critical to their ability to protect civilian populations. In late 2012, Rwanda contributed military utility helicopters to the United Nations Mission in the Republic of South Sudan , extending the Mission's area of influence and contributing to a safer environment for civilians.

We also support calls for peacekeeping missions to work with the United Nations High Commissioner for Refugees to preserve the civilian and humanitarian character of refugee camps.

On accountability for crimes against civilians, I wish to emphasize four important points. First, justice must be timely. Nearly two decades after the genocide in my country, the international judicial process has yet to conclude. Secondly, rendering justice to victims should be the only objective of accountability mechanisms, keeping political considerations out of the process. Justice should not be and cannot be selective or used for political expediency. Thirdly, more careful attention should be paid to the principle of subsidiarity when choosing the most appropriate venue for judicial proceedings. Justice is best rendered at home. Fourthly, and related to subsidiarity, is that the international community should increase investment in strengthening national judicial capacities, which is the best way to make justice relevant to local communities and sustainable.

I conclude by once again restating Rwanda's firm commitment to enhancing the protection of civilians in armed conflict, and we express gratitude to the women and men protecting those in need, especially on our continent, as well as those who have laid down their lives in the name of international peace and security.

Mr. Mammadyarov (Azerbaijan): First of all, I would like to thank the Republic of Korea and you personally, Mr. Minister, for convening this important open debate on the protection of civilians in armed conflict and for submitting a concept note on the topic (S/2013/75, annex). We are also grateful to the Secretary-General, the United Nations High Commissioner for Human Rights and the Director for International Law and Cooperation of the International Committee of the Red Cross for their statements.

A response to the large-scale atrocities perpetrated during the Second World War served as the basis for the founding of the United Nations, the proclaiming of fundamental values, such as peace and respect for

human rights, and the establishment of multinational judicial institutions. The significant development of international norms and standards for the protection of civilians and the engagement of the Security Council, including the adoption of a number of important documents and practical steps towards their implementation, have given rise to increased attention to the issue.

However, efforts to ensure a peaceful, just and prosperous world have not always been consistent and successful. As a consequence, civilians continue to suffer from inadequate protection and discriminatory treatment in situations of armed conflict. As the latest report of the Secretary-General on the topic acknowledges:

> "Despite some progress, the reality on the ground continues to be characterized by the frequent failure of parties to conflict to comply with their obligations under international humanitarian law to respect and protect civilians as well as with relevant human rights obligations." (*S/2012/376, para. 4*)

Azerbaijan's consistent position with regard to the issue under consideration is well known and stems from its keen interest in contributing to the achievement of sustainable peace and development and from our practical experience in addressing the impact of armed conflict on civilians. The war unleashed by neigbouring Armenia against my country and the military occupation of our territories have had a considerable impact on civilians. As a result of that aggression, Azerbaijan continues to suffer from having one of the highest numbers of refugees and displaced persons in the world. At present, approximately one of every nine persons in the country belongs to that category. Twenty-one years ago, an unprecedented massacre was committed against the Azerbaijani population in the town of Khojaly. In one night, more than 600 civilians were killed in that town only because they were Azerbaijanis. Not even women, children and elderly were spared by the invading Armenian troops and irregular local armed groups.

In all its four resolutions adopted in 1993 in response to the occupation of the territories of Azerbaijan (resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993)), the Security Council referred specifically to violations of international humanitarian law, including the displacement of a large number of civilians in Azerbaijan, attacks on civilians and the bombardment of inhabited areas. We are confident that the consistent measures being taken at the national level, as well as the existing international legal framework, will serve to bring to justice those responsible for the grave offences committed against the civilian population of Azerbaijan during the conflict. It is incontrovertible today that no official or political status cloaks the person concerned with immunity for the most serious international crimes, such as war crimes, crimes against humanity, genocide and ethnic cleansing.

In recent years, important steps have been taken for the protection and vindication of rights and the prevention and punishment of crimes that have an international dimension and scope. Indeed, ending impunity is essential not only for the purposes of identifying responsibility for both parties to the conflict and individual perpetrators but also for ensuring sustainable peace, truth, reconciliation, the rights and interests of victims and the well-being of society at large.

Unfortunately, not all grave violations of international humanitarian and human rights law have received due attention and a response at the international and regional levels. As a result, past wrongs left unpunished and unrecognized continue to impede progress in achieving the long-awaited peace and reconciliation and could even play a key role in the eruption of new conflicts and the commission of new crimes.

More resolute and targeted measures are required to end impunity in such situations. We concur with the Secretary-General that where national authorities fail to take the steps necessary to ensure accountability, the international community and the Council should play a more proactive role in ensuring an appropriate response, including through the establishment of international commissions of inquiry and fact-finding missions and in supporting the implementation of their recommendations. It is also essential to emphasize the role of the relevant humanitarian mandates in ensuring that all situations of armed conflict, including those of a protracted nature, receive due attention by the international community.

It is important to repeatedly recall that the establishment of truth in respect to gross violations of international humanitarian and human rights law, the provision of adequate and effective reparations to victims and the need for institutional actions to prevent the repetition of such violations are all necessary adjuncts to true conflict resolution and imperative with

regard to the effective and politically uncompromising system of international criminal justice. In any event, the conflict resolution initiatives considered by the Security Council and regional arrangements must ensure that peace and justice work together effectively. Such an approach provides that no peace settlement can be reached if it is inconsistent with international law, particularly where peremptory norms and the rules and standards of international humanitarian and human rights law are concerned.

It is essential that peace efforts and peace agreements never encourage the acceptance of situations achieved by the unlawful use of force and other egregious violations of international law, such as war crimes, crimes against humanity, genocide and ethnic cleansing. On the other hand, in situations of protracted armed conflict, the lack of agreement on political issues cannot be used as a pretext for not addressing problems caused by continued and deliberate disrespect for international humanitarian human rights law.

Particular consideration must be given to implications for the protection of civilians in armed conflicts aggravated by population displacements and foreign military occupation. The impact of conflict on housing, land and property, as well as discrimination on ethnic grounds and forced demographic changes in such situations, require a more consistent approach in order to put an end to illegal practices and policies and to ensure the safe and dignified return of displaced populations to their homes.

It is important that the recognition of the right to return, along with increased attention to its practical implementation and concrete measures aimed at overcoming obstacles that prevent return, be applied by the international community with more systematic regularity. As the Secretary-General made clear in an earlier report on the protection of civilians in armed conflict,

> "[e]nsuring the right to return constitutes a categorical rejection of the gains of ethnic cleansing ... and offers some measure of justice to those displaced from their homes and land, thereby removing a source of possible future tension and conflict" (*S/2007/643, para. 55*).

Among the pressing issues requiring urgent action and attention is that of civilians, including women and children, taken hostage and reported missing in connection with armed conflict. Azerbaijan continues its efforts to address that disturbing phenomenon, including through the relevant biannual resolution of the General Assembly and the Commission on the Status of Women, of which my country is a main sponsor.

It is important that the Security Council consistently maintain its focus on the protection of civilians. Azerbaijan would support more systematic and frequent discussions on the topic during briefings and consultations, as well as at informal meetings, such as Arria Formula meetings.

In conclusion, I would like once again to commend the initiative of the Republic of Korea to convene this open debate on the protection of civilians and to advance that significant theme in the work of the Security Council. We welcome the draft presidential statement to be adopted later as the outcome of today's meeting. It contains a number of the aforementioned key components of our position and approach on the topic.

Ms. Rice (United States of America): I thank Foreign Minister Kim Sung-hwan for chairing this important debate. I also thank Secretary-General Ban Ki-moon, High Commissioner Pillay and International Committee of the Red Cross Director Spoerri for their statements. Protecting civilians in armed conflict is a fundamental responsibility of the international community and a core function of the Security Council in carrying out its mandate to safeguard international peace and security.

The United States knows that its security is diminished when masses of civilians are slaughtered, refugees flee across borders to escape brutal attacks, and murderers wreak havoc on regional stability and livelihoods.

Regrettably, history has taught us that our pursuit of a world in which States do not systematically slaughter civilians will not arrive without concerted and coordinated action. Nearly a year ago, President Obama announced at the United States Holocaust Memorial Museum new actions that the United States is taking to implement his landmark policy directive on atrocity prevention.

Under the President's leadership, my Government has implemented unprecedented steps to enhance our capabilities and structures for preventing heinous crimes against civilians, from strengthening our early warning and preventive diplomacy to punishing perpetrators and pressing for accountability. Our new

Atrocities Prevention Board, a committee of senior officials from across the United States Government, is overseeing this critical work and ensuring that we are focused on emerging situations of concern.

But while national action is necessary, it is not sufficient. International collective action is required, and we look forward to strengthening our cooperation with the United Nations and Member States to that end.

Few are more likely to be the victims of mass atrocities than civilians caught in armed conflict. Time and again, and all too often, the world bears witness to the horror of mass killings, sexual violence and gross human rights abuses of innocents in conflict. Therefore protecting civilians in armed conflict must remain a top priority of the Council and the United Nations as a whole.

Though we must never relent in this effort, we are encouraged that the United Nations has made strides in enhancing United Nations tools to protect civilians. We commend the Secretariat's efforts to help United Nations field missions develop operational guidance and mission-wide strategies to implement their civilian-protection mandates. The recently released United Nations study entitled "Protection of civilians: coordination mechanisms in United Nations peacekeeping missions" highlights several mechanisms for executing protection-of-civilian mandates successfully.

Simple but practical tools, many focused on internal procedures and mission structure, enable mission focal points to integrate mission activities in support of protection mandates. The United Nations Mission in South Sudan, for example, produced an integrated strategy that led to an innovative early-warning system and country support basis that enabled better protection of rural populations.

Mission-wide strategies depend on missions really understanding the threats and violence that civilians face in their area of operation. When peacekeepers know their local environments well, they are better able to protect civilians. Such detailed knowledge requires active and sustained engagement with local populations. We encourage United Nations missions with protection mandates to assess, in their reports and briefings to the Council, the threats and vulnerabilities facing civilians in their area of operation. We also urge mission-wide strategies to anticipate and outline steps to counter any escalation in violence against civilians that could culminate in mass atrocities. United Nations missions should proactively explain their role in protecting civilians to local communities.

Beyond a sophisticated understanding of their areas of operation, peacekeepers need strong training in civilian protection. The United States invests significantly in peacekeeper training, and we urge all peacekeeping training centres to adopt the United Nations innovative training guidance on the protection of civilians. Such training should be standardized and required for every peacekeeper.

For all that United Nations peacekeepers and field missions can do, let us not forget that national Governments always bear primary responsibility for protecting their own populations. In some countries, Governments are manifestly failing in that responsibility, often because of insufficient capacity or will to address the problem. In some countries, moreover, Governments condone and even perpetrate atrocities against their own people. Through its statements, resolutions and diplomacy, the Council must continue to press Governments to fulfil their obligations.

In that regard, I want to highlight the horrific attacks by the Syrian regime on the Syrian people, including the widely reported targeting of hospitals and health-care centres and the use of ballistic missiles against civilian populations. The carnage unleashed by Al-Assad merits universal indignation and strong action from the Council. When the people of Libya were on the verge of being slaughtered by a brutal dictator, the Council acted, prevented a massacre and saved countless lives. That should remind us that, for civilians in conflict, Security Council action can mean the difference between life and death.

In the 2005 World Summit Outcome document (General Assembly resolution 60/1) and in resolution 1894 (2009), all States Members of the United Nations accepted a shared responsibility to protect populations from genocide, ethnic cleansing, crimes against humanity and war crimes. While we continue to elaborate the application of that principle, when Governments manifestly fail to protect their civilians, the international community must not dither, but, rather, act decisively to assume its responsibility collectively to protect.

Another fundamental but often overlooked principle of protecting civilians is the ensuring of

humanitarian access. No State Member of the United Nations or non-State actor should ever prevent timely, full and unimpeded humanitarian access to populations in need of assistance. Yet the Government of the Sudan has refused, for a year and half now, to permit the safe and unhindered provision of international humanitarian assistance to address the acute humanitarian emergency in Southern Kordofan and Blue Nile states, particularly the Sudan People's Liberation Movement-North-controlled areas, which is largely of Khartoum's making. Since 2011, more than 214,000 refugees have crossed into Ethiopia and South Sudan, and 695,000 have been displaced within the two areas. That is appalling and unacceptable.

In this and other such situations, we commend the service and dedication of the humanitarian workers, who help the world's most vulnerable, at great risk to themselves. Attacks against humanitarian workers are deplorable and should be condemned wherever committed.

We fully support the Secretary-General's call for the Council to be more active in addressing violations of international law and to strengthen accountability. The United States strongly rejects impunity and supports efforts to hold accountable violators of international humanitarian and human rights law. Our long-standing support for international tribunals and efforts to document ongoing atrocities in places such as Syria reflect that commitment.

Recent events, including the conviction of Charles Taylor by the Special Court for Sierra Leone and the International Criminal Court's judgement against Thomas Lubango Dyilo, of the Democratic Republic of the Congo, show us that accountability for those who commit atrocities and justice for their victims is possible.

Yet too many perpetrators remain free. The Council needs the facts and strong reporting to help bring to justice the perpetrators of crimes against civilians. President Obama has declared that preventing mass atrocities is a core national security interest and a core moral responsibility of the United States. The protection of civilians is a fundamental element of the Security Council's obligation to ensure international peace and security. It is clear that we must keep our attention focused squarely on the practical steps we can take to enhance the protection of civilians in armed conflict and redouble our efforts to ensure that the Council is not sitting on the sidelines when civilian populations are in grave danger.

Mr. Parham (United Kingdom): I wish to thank you, Mr. President, for holding this important debate today and for having come to New York to lend your personal weight to this important issue. Let me also warmly thank the Secretary-General, High Commissioner Pillay and the Director for International Law and Cooperation of the International Committee of the Red Cross, Mr. Spoerri, for their valuable briefings.

Civilians continue to account for the vast majority of casualties in armed conflict. That suffering must stop. The protection of civilians is a pressing responsibility that must be discharged and that requires action during armed conflict and in peacetime, and at all stages in between. States bear the primary responsibility to protect civilians, and must act strictly in accordance with their legal obligations and their moral duties. In addition, we, the United Nations, must provide the appropriate political, humanitarian and development support necessary to protect civilians.

Civilians in situations of armed conflict suffer in a multitude of ways, including through deliberate targeting, sexual and gender-based violence and displacement. We must address them all at all stages of the conflict cycle. The international community cannot be a passive bystander and idle witness in the face of gross violations against civilians. It is deeply regrettable that, since our last debate on this subject, in June of last year (see S/PV.6790), there has been limited progress in addressing certain situations of grave concern.

In particular, we remain appalled by the deteriorating situation in Syria. Since June, the crisis has intensified. The depth of suffering of the Syrian people is truly dreadful and worsening daily. More than 60,000 Syrians are now believed to have died, and more than 700,000 have taken refuge in neighbouring countries. Our objective is clear, that is, we want an end to the violence and a process of genuine political transition, and we want to see the Security Council apply its collective weight towards those objectives. That is not just our view; it is the view of the Arab League and the vast majority of States Members of the United Nations. We deeply regret that there is still no end in sight and that the international community has been unable to address the situation.

The impact of conflict on civilians around the world remains unacceptably high. The sad truth is that

the perpetrators of appalling, life-shattering crimes still tend to go unpunished. Without accountability there is a culture of impunity for which ordinary people pay the price. Ensuring accountability for the most serious crimes of international concern lies at the heart of protecting civilians and is key to delivering global justice. The International Criminal Court is an essential tool in promoting and ensuring such accountability. The United Kingdom also stresses the importance of international commissions of inquiry and fact-finding missions to verify and investigate allegations of serious violations of international human rights and humanitarian law. The Security Council must support such mechanisms. Justice must be delivered.

In tackling the culture of impunity, the Council must address the range of crimes committed against civilians in conflict, including rape. We must overturn the old assumption that rape is somehow an inevitable byproduct of conflict, and we must confront it. An effective response to sexual violence should be built into every aspect of conflict prevention, peacekeeping, peacebuilding and development. The United Kingdom is already taking action to tackle rape as a weapon of war and to improve support for survivors through its initiative on preventing sexual violence. That will involve deploying teams of experts to assist survivors and support local capacity in, for example, areas bordering Syria, Libya, the Democratic Republic of the Congo, Bosnia and Herzegovina, and Mali. We are also working in close collaboration with the Office of the United Nations Special Representative on Sexual Violence in Conflict to identify additional countries where our team of experts can helpfully be deployed.

The disproportionate impact of conflict on children, who are among the most vulnerable, is shocking. Children should not grow up in a climate of fear, violence and suffering. The United Kingdom condemns all those who target and recruit children in armed conflict despite international pressure. Civilians both inside and outside conflict zones are affected by conflict; refugees and internally displaced persons fleeing the violence are confronted with a struggle for their most basic needs. Humanitarian access is essential for the protection of civilians. We regret that we continue to see humanitarian access to areas in need blocked or constrained. The continued denial of humanitarian access to the states of Blue Nile and Southern Kordofan in the Sudan has created a crisis resulting in nearly 1 million displaced people. The Council has watched that situation worsen for far too long. Humanitarian access must be protected and expanded, particularly in fragile and conflict-affected States.

The protection of civilians is among the Council's foremost responsibilities. The lives of many depend on the vigilance with which we discharge that responsibility. We must continue to take the steps necessary to protect civilians, and we must use the Council's authority to ensure that States shoulder their primary responsibilities to prevent conflict, minimize suffering and ensure that cycles of conflict and pain are not repeated. I welcome the fact that the Council has united around a strong draft presidential statement — which will be read out shortly — that upholds our commitment to the protection of civilians. We must be guided by the principles and contents of that statement in the months and years ahead.

Mr. Masood Khan (Pakistan): We thank the Republic of Korea for organizing this open debate on the protection of civilians in armed conflict, a theme that is important for the Security Council and for the international community. Foreign Minister Kim's decision to preside over the debate is a reflection of the Republic of Korea's commitment to addressing the issue. We congratulate you, Ambassador Kim, and your able team on presiding over the Council in a skilful and capable manner, and for circulating the concept note on the protection of civilians in armed conflict (S/2013/75, annex).

Pakistan welcomes the presence of the Secretary-General, whose latest report (S/2012/376) and incisive briefings have guided our work on this team. We have also benefited from the insightful presentations of Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, and the Director for International Law and Cooperation of the International Committee of the Red Cross, Mr. Philip Spoerri, as indeed from the statements of the Foreign Ministers of the Republic of Korea, Rwanda and Azerbaijan. We also commend the representative of the United Kingdom and his able team for steering the negotiations over the draft presidential statement in a most professional manner.

It is a grim reality today that civilians account for the vast majority of casualties in armed conflicts around the globe. They bear the brunt of wars, conflicts and strife. Progress has been made on elaborating a normative framework for the protection of civilians, but it has yet to be fully translated into tangible results. Thanks to the initiative of the Republic of Korea, we will be able to make some progress today

on accountability, humanitarian issues and the implementation of peacekeeping mandates. We endorse the draft presidential statement that the Council will issue today. The message going out from the Council is loud and clear: all parties to a conflict bear the responsibility to protect civilians. They must take sure to ensure the protection of women, children, journalists, refugees and internally displaced persons, who are the most vulnerable in conflict situations. Protection must be given to humanitarian actors, including medical personnel and premises. It is also the responsibility of occupation forces to ensure full respect for international humanitarian law.

We strongly condemn attacks on medical personnel and facilities, as well as on schools and teachers. There should be no impunity for those involved in serious violations of international humanitarian and human rights law. The Security Council and international tribunals have addressed these concerns in a number of situations, through measures targeted against violators. Because of the proven value of this approach, the Council should persevere with it.

More than a decade ago, when the Security Council first began to address protection issues, there were apprehensions among the wider United Nations membership concerning the Security Council's role and mandate, as well as its ability to deliver. However, the compelling need to protect civilians in armed conflict has led to a broad consensus that such an approach, when pursued objectively and without politicization, produces salutary results on the ground.

It is an established norm that international humanitarian law covers only situations of armed conflict and should not be extended to other situations. For other situations, other forms of law, such as international human rights law, are applicable. That fine distinction must be maintained in order to avoid the occasional drift into reporting about the situations that do not fall within the category of armed conflict.

The protection of civilians is part of many United Nations peacekeeping mandates. Pakistan, as one of the top troop contributors, has worked in many missions in various parts of the world to ensure the protection of civilians. Our peacekeepers are doing so right now in the Democratic Republic of the Congo, Darfur, Côte d'Ivoire and Liberia.

The protection of civilians remains the primary responsibility of host countries. Peacekeeping missions should assist host authorities as and where appropriate, in accordance with their mandates. The peacekeepers' ability to perform such mandates is directly linked to the resources available, including intelligence capabilities and the configuration of the missions. Besides, we need to pursue the continuous training of peacekeepers so that operational plans to protect civilians can be refined.

In developing mission strategies and plans, consultations with the host Government or authorities, troop-contributing countries and humanitarian actors must continue. That is simply good practice.

Missions provide physical protection and assist host countries in creating protective environments. The metrics developed by the Department of Peacekeeping Operations provide a good tool for monitoring progress in that context. Yet there should be no misplaced expectations as to what missions can ensure. They cannot provide protection to all civilians all the time. That is why it is essential to bolster national capacities with regard to defence and security forces.

New technologies for gathering information and for surveillance are being used increasingly in armed conflicts for offensive and non-offensive purposes. In that regard, we support the Secretary-General's view that it is extremely important that the use of such technologies should comply with the principles of distinction and applicable international humanitarian law. A clear distinction must also be made, as the Secretary-General has advised us, between the protection of civilians and the responsibility to protect. The conflation of those two concepts has created some legal confusion.

It is important to ensure the safe and unhindered provision of humanitarian assistance, in accordance with the well-established principles of humanity, neutrality, impartiality, independence and the guiding principles set out in the annex to General Assembly resolution 46/182, which reaffirm full respect for the sovereignty, territorial integrity and national unity of States.

There is, of course, a need for consistent engagement on the part of humanitarian agencies with all parties to armed conflict in order to ensure respect for international humanitarian law. Humanitarian actors must conform to and work strictly within the framework of the host country agreements.

Irrespective of the normative progress, success will ultimately depend on how effectively the Council

continues to take action to protect civilians on the ground in situations of armed conflict. The key element in that regard is the impartial handling of all situations by the Council.

I conclude by paying tribute to the peacekeepers and humanitarian actors in the field, who are trying, under very difficult circumstances, to protect civilians.

Mr. Quinlan (Australia): I thank you, Mr. President, for the Republic of Korea's leadership in convening this debate today and for Foreign Minister Kim Sung-hwan's presence with us today as well. I also welcome the participation of the Foreign Ministers of Azerbaijan and Rwanda, as well as the Foreign Minister of Brazil and the Secretary-General of the Organization of Islamic Cooperation. I also thank the Secretary-General, of course, for his consistent leadership on protection in all its dimensions and the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, and the Director for International Law and Cooperation of the International Committee of the Red Cross, Mr. Philip Spoerri, for their indefatigable and irreplaceable efforts.

As a member of the Group of Friends of the Protection of Civilians, Australia associates itself with the statement to be delivered later today by the representative of Switzerland on behalf of the Group.

As the Secretary-General has said, the situation with regard to the protection of civilians is, and I use his word, "abysmal". The situation of the most vulnerable — women and children — violates our humanity. There is what should be seen as an irresistible case for the Council and the United Nations system to focus sharply on strengthening efforts to meet the five core challenges that the Secretary-General has identified in his latest report (S/2012/376). My country supports the report's analysis and recommendations, and we will work assiduously with others on the Council, Member States generally, troop- and police-contributing countries and humanitarian actors to take forward those recommendations as a priority.

In shouldering the responsibilities for the maintenance of international peace and security, the Council must do all it can to prevent and respond to threats of violence against civilians, particularly the most vulnerable, namely, women and children. Protection is not just at the core of the Council's responsibility, it should also be, it must be, the Council's moral compass. More than any other issue, we will be judged by our actions and by our failures to act in response to protection challenges. We are already judged by our failure in Syria, and we are failing in Southern Kordofan and Blue Nile.

So what should we do? I will mention five areas. First, we should bring humanitarian access to the fore and do all we can to ensure compliance with international humanitarian law. Around the world, tens of millions of civilians continue to suffer every day. Although international humanitarian law requires parties to conflict to respect and protect humanitarian personnel whose work is vital to help those victims, we know that those obligations are not being implemented. We have to do better.

Australia is particularly concerned about ongoing attacks against medical workers and facilities, notably today in Syria. More than half of all hospitals there have been damaged or destroyed, and a third of the medical services are not operating. We strongly support the call by the Secretary-General and today's draft presidential statement for the immediate cessation of attacks against medical personnel and facilities. Their deliberate targeting is not only morally abhorrent, it is an unquestioned violation of international humanitarian law, and my country will continue to work with others to improve the protection of medical personnel and facilities and access to them in Syria. Equally, our draft presidential statement necessarily highlights the imperatives to protect schools, teachers and journalists.

Secondly, we should confront the challenge of unregulated small arms and the indiscriminate use of weapons. All too often, as we know, we see explosive weapons being used in densely populated areas. Again, Syria is a particularly egregious example. Parties to conflict must abide by international law, and we support the Secretary-General's recommendation and further action on those issues.

Similarly, some 2,000 people, mostly civilians, many women and children, are killed every day as a result of the illicit and irresponsible trade in weapons. We can fix that. We have a historical opportunity with the negotiations in March to achieve a legally binding arms trade treaty. We must not fail in that opportunity.

Thirdly, we should enforce the protection of civilians mandates within peacekeeping missions. The Council must lead the way in ensuring that peacekeepers are able to protect civilians. We should be pressing for mission-wide protection strategies, including strategies

on early warning and prevention. We have seen such mechanisms in place in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, for example, through the work of provincial senior management groups on protection, which plan the deployment of joint protection teams and provide an essential link with local communities, who, we know, are often best placed to anticipate and communicate protection risks. We must continue to encourage improvements in and sharing of best practices.

Peacekeepers in vastly different peacekeeping operations confront very different obstacles. The threat of conflict-related sexual violence in the Kivus requires a very different response from the response to gang activities in Port-au-Prince or to cattle raiding in Jonglei. The development of mission-specific training is therefore a further crucial step, and we must maintain our focus on operationalizing effective guidance and training materials.

Fourthly, we should foster accountability. Accountability is first and foremost a national responsibility, but the Council has a critical role to play in ensuring accountability. It must exercise its authority, for instance, through referrals to the International Criminal Court and necessary follow-up, and through other mechanisms, including commissions of inquiry and fact-fording missions. And it should, where it needs to, mandate peacekeeping missions to help implement its decisions on accountability.

While the responsibility to protect is a different principle from broader efforts to protect civilians, Australia firmly supports the Council's efforts to uphold it. All our leaders have pledged to support the responsibility to protect, and we welcome the Council's acknowledgement of this commitment in the draft presidential statement to be adopted today.

Fifthly and finally, we believe that we should reform the Council's working methods on the protection of civilians. The time has come to work together on a more regular and formalized mechanism of input to the Council that brings together analysis and trends across the whole protection of civilians agenda. We also believe that an annual report of the Secretary-General is needed.

In conclusion, I should like to commend the personnel involved in peacekeeping and political missions, as well as other humanitarian actors and civil society groups, for their enormous service. They are the front line of protection, and they are all too often inadequately resourced for the challenges they face. The Council must not fail them. We should do all we can to better enable them to perform their essential roles.

Mr. Menan (Togo) (*spoke in French*): I shall begin by thanking your country, Sir, for including the issue of the protection of civilians in armed conflict on the Council's programme of work for this month. We welcome the presence of the Minister for Foreign Affairs of the Republic of Korea to guide our deliberations.

I also thank the Secretary-General for his briefing on the topic under considersation, as well as Ms. Pillay, High Commissioner for Human Rights, and Mr. Spoerri of the International Committee of the Red Cross for their statements.

One of the international community's principal concerns is ensuring the protection of civilians when a crisis or armed conflict arises to threaten them. Despite the existence of a body law on this subject, including the case law of the international criminal tribunals on the effective protection of civilians in armed conflict, civilians continue to suffer the most serious violations of their rights. Even the early warning systems set up within peacekeeping operations sometimes reveal their shortcomings in effectively protecting civilians. Indeed, civilians suffer violence of all types, including sexual and gender-based violence; cruel, inhuman and degrading treatment; enforced disappearances and obstacles to access to humanitarian assistance.

The conflicts raging in various regions of the world today have caused extensive loss of human life, injury and mass movements of refugees and internally displaced persons. It has also been established that the ratio of civilian to military victims has risen, as evidenced in the conflict in Syria, where over 60,000 people have died, as Ms. Pillay noted early. Moreover, armed conflicts in the Democratic Republic of the Congo, the Sudan, South Sudan and Mali, as well as the recent crisis between Gaza and Israel, have also claimed their share of civilian victims. Furthermore, armed conflicts are also rife with trafficking in humans and their organs. In all cases, unfortunately, it is children, women, the disabled, the elderly and humanitarian, health and media personnel who pay the heaviest toll of such violence. It is all the more shocking that the perpetrators of such acts may paradoxically be the peacekeeping personnel who are supposed to protect civilians.

There are a number of explanations not only for such ongoing serious violations of international humanitarian law and human rights in armed conflict, but also for the exponential rise in the number of civilian victims. First among these is the flouting by the parties to conflict of their obligations under relevant international legal instruments in human rights and international humanitarian law in armed conflict, in particular the 1949 Geneva Conventions and their 1977 Additional Protocols, together with the customs and laws of war.

Moreover, certain non-State actors do not feel bound by international legal instruments and customary law, or are totally ignorant of their existence. We also note the difficulties of media coverage, which — given the fact that the media are kept far from the theatres of conflict — prevent them from informing international public opinion of realities on the ground. As a result, the media is hard-put to raise awareness among civilians of the precautions they should take and to ensure that they do not engage in activities that might cause them to lose their status as civilians and thereby forego the protection to which they are entitled. Furthermore, the institution of the Protecting Powers under the Fourth Geneva Convention, one of whose roles is to ensure respect for humanitarian law and the protection of civilians, may prove ineffective.

We welcome the efforts of certain international organizations, such as the International Committee of the Red Cross, to fill that gap so to protect civilians despite their very limited resources. The Security Council itself, given the differences among its members, particularly the permanent members, may have trouble reaching agreement when a crisis, such as that in Syria, erupts.

The deterrence of impunity through international criminal law is also being hindered from becoming operational for several reasons. On the one hand, international commissions of inquiry do not always have the means to establish the facts objectively. Moreover, cooperation between States and international tribunals in the execution of arrest warrants and other decisions tends to be ineffectual.

In the light of the gap between the measures taken and their effective protection of civilians in armed conflict, Togo should like to suggest certain changes.

First, the States concerned should be parties to the relevant international legal instruments, incorporate them into their national legislation, and ensure their observance. It is also necessary to maximize the role of transitional justice, which hinges on a broad range of judicial and parajudicial measures, including reparations for victims, in accordance with the principle of full satisfaction, in order to ensure the restoration of peace, security and reconciliation.

Secondly, we must design training modules that can be made available to missions and training centres in troop-contributing countries so as to ensure that troops are better informed with respect to the protection of civilians and to prevent potential violence against them. Resolution 2085 (2012) of 20 December 2012, regarding the deployment of the African-led International Support Mission in Mali, is a model in that it establishes the precedent of verification of prior training before any intervention and calls for the presence of observers on the ground to ensure the effective respect of international humanitarian and international human rights law with respect to the protection of civilians in armed conflict.

Furthermore, we must urgently provide all peacekeeping operations with early warning mechanisms and the resources and means to monitor and prevent incidents and intervene in real time when incidents occur.

Similarly, it is urgent that we establish sound vertical and horizontal cooperation among the various national, international and regional stakeholders. In that regard, we could consider including in the training for peacekeeping operations some of the African Union's guidelines on the protection of civilians.

Lastly, with regard to the Security Council in particular, the stakes continue to be two-sided. On the one hand, there is a need for this organ to adopt clear and precise mandates that include the protection of civilians. On the other hand, when it comes to combating impunity, the Council should implement the conclusions of the debate that took place on 17 October 2012 (see S/PV.6849), with regard to coherence as to the referrals sent to the International Criminal Court, the financing for those cases, and follow-up to the decisions handed down.

I would like to conclude my statement by underscoring the fact that Togo continues to believe that the surest way to ensure the protection of civilians is to prevent the outbreak of conflicts and crises. That requires promoting preventive diplomacy as much as

possible, which has the advantage of sparing civilians from the effects of armed conflict.

Mr. Loulichki (Morocco) (*spoke in French*): At the outset, I would like to thank the Republic of Korea for organizing this important open debate on the protection of civilians in armed conflict, presided over this morning by Minister for Foreign Affairs and Trade Kim Sung-hwan. I also welcome the participation of the Ministers from Azerbaijan, Rwanda and Brazil. Likewise, I would like to express our appreciation to the Secretary-General, the High Commissioner for Human Rights and the director from the International Committee of the Red Cross for their informative statements. Lastly, I wish to thank the delegation of the United Kingdom for leading the consultations on the important draft presidential statement that we will adopt later on.

Since the adoption of resolution 1265 (1999), the protection of civilians in armed conflict has occupied a central position on the agenda of the Security Council, as evidenced by the numerous resolutions, presidential statements and other measures adopted by the Council intended to overcome the major challenges to protecting civilians. The track record of the past 14 years is encouraging, given the significant normative framework that has been developed. However, that is still insufficient both in terms of implementation and impact on the ground.

The report of the Secretary-General published on 22 May 2012 (S/2012/376) describes a difficult situation that often includes a failure by parties to a conflict to abide by their obligations flowing from international humanitarian law and instruments on human and refugee rights.

As the Minister from Rwanda pointed out, the situation of civilians takes on more serious dimensions in the context of recent conflicts, which are spreading in an extremely dangerous manner, as well as in situations involving terrorism, separatism and transnational organized crime. Such situations have become genuine threats to the security and lives of civilians, as well as to national and, at times, international patrimony. The capacity to acquire weapons and secure financing, as well as the dangerous alliances among various groups, mean that civilians are often held hostage by virtue of threats, intimidation and acts of reprisals by such groups. We hope that the next report of the Secretary-General will take up those new challenges, in order that the Security Council can have at its disposal information and analysis concerning this phenomenon in order to better protect civilians.

Peacekeeping operations with a mandate to protect civilians continue to be an important tool at the Council's disposal. Their effectiveness depends upon sustained support from the international community in ensuring the implementation of mandates by providing the necessary resources to prevent attacks on civilians and to strengthen the capacity of the country concerned to meet its responsibility to protect civilians.

In our quest to better protect civilians in armed conflict, we should continue to pay particular attention to women and children, who are often targeted for extreme violence and every manner of atrocity in time of conflict. Sexual violence, in particular rape, continues to be among the violence to which women and girls continue to be subjected. Children continue to be killed in conflict, often coerced into taking up arms and used as human shields by armed groups and forces. Given their vulnerability, it is incumbent upon all of us to pay ongoing attention to the specific needs of women and children.

Journalists and humanitarian and health workers also pay a high price for their commitment to protecting civilian victims and easing their suffering. This group also has the right to protection.

Conflicts produce thousands of refugees and displaced persons, who are sometimes exposed to inhumane practices on the part of the armed groups that control refugee camps. Those groups also commit grave violations of international law, human rights law and refugee law. Control over civilians by non-State actors in refugee camps, including sometimes the lack of distinction between armed elements and civilians, remains a continuing threat and inhumane practice whereby civilians are forced to live under threat, blackmail and want. In such conditions, complicity — direct or ill-advised — on the part of States hosting camps, as well as the total avoidance of any responsibility on the part of armed non-State groups amount to a denial of rights that is both unacceptable and immoral.

The report of the Secretary-General is clear on this in stating that

> "Humanitarian activities continue to suffer from interference by State and non-State actors pursuing a non-humanitarian agenda that results

in the disruption of humanitarian projects and the diversion of assistance" (*S/2012/376, para. 14*).

It is time that we correct this anachronistic situation by finding lasting solutions. That means registering refugees and carrying out a census in every single situation — steps that are both essential preconditions and permanent obligations in protecting civilians and providing assistance.

Given the challenges on the ground, reducing the number of civilian victims of violence entails long-term efforts based on promoting all aspects of the protection of civilians — legal, humanitarian and security — in all United Nations activities. The Security Council therefore cannot evade the imperative need to establish a protective environment built through development, strengthening capacity, promoting democratic values and peacefully settling political, social and territorial differences before they lead to armed conflict with unforeseen repercussions for civilians. On those two complementary aspects, the work of the Council in promoting and consolidating peace remains crucial and beneficial.

Mr. Rosenthal (Guatemala) (*spoke in Spanish*): We welcome the presence of the Minister of Foreign Affairs and Trade of the Republic of Korea, His Excellency Mr. Kim Sung-hwan. We thank him for having convened this open debate at such an opportune time and for presiding over it . We regret that our own Minister for Foreign Affairs, Mr. Fernando Carrera Castro, who wanted to join us here, was unable to do so due to a last-minute conflict in his schedule.

We would like to thank Secretary-General Ban Ki-moon for his very informative statement and for his ninth report on the matter (S/2012/376). As that report was published in May 2012, it is essential that it be updated. We also appreciate the statements by the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, and express our thanks to Mr. Philip Spoerri for his contribution to this debate.

The protection of human life and the protection of civilian populations are at the core of the United Nations mandate and the agenda of the Security Council. However, civilians continue to suffer and are the victims in every conflict, despite the resolutions of the Council on the matter, a solid base of international jurisprudence and the tireless and increasing efforts of the international community with respect to those noble intentions.

It is regrettable that, over and over again and in recent examples such as in the Syrian Arab Republic, the Democratic Republic of the Congo, the Sudan and Mali, we are compelled to energetically condemn premeditated attacks against civilians and the consequent loss of human life resulting from the use of indiscriminate or disproportionate force. All parties to an armed conflict, whether domestic or transnational, must promote the peaceful resolution of conflicts and undertake their obligations in accordance with international humanitarian law.

Many decisions have been adopted after resolution 1265 (1999), which marked the beginning of a new approach to the protection of civilians in the Council's discussions. However, in most of the reports on the subject, as well as in those on the protection of specific groups such as women and children, we are merely informed of the immense suffering endured by civilian populations and the casualties among them, which invariably surpass military casualties.

In his 2009 report (S/2009/277), the Secretary-General presented the five basic challenges that the United Nations in general and the Security Council more specifically, together with the international community, must address. Those challenges continue to be entirely pertinent, because in most cases we have not yet been able to resolve the problem.

Moreover, as members know, we are now faced with the fact that conflicts are increasingly of an intra-State nature, rather than between two States, which makes intervention by the Council more difficult as these are, strictly speaking, the internal affairs of sovereign States, even if those States are not upholding their primary obligation of protecting their own citizens. Precisely when such situations arise, especially when they are of a flagrant nature, the established principle of non-intervention must be superceded by our common commitment, and even responsibility, to protect civilian populations from mass violations and atrocities inflicted on them by their own Governments.

Guatemala participates actively, through our troops and under the flag of the United Nations, in peacekeeping operations that have strong mandates concerning the protection of civilians, as in the Democratic Republic of the Congo. However, a simple examination of the ratio of peacekeepers to civilians reveals that Blue Helmets cannot guarantee protection for everyone. The protection of civilians also requires significant equipment and logistical support, which

are often insufficient or not available to missions. That gives rise to the broader question of the balance between mandates and resources.

We will continue to work in close cooperation in the Special Committee on Peacekeeping Operations on the strategies for the protection of civilians in peacekeeping missions. We will do so in compliance with their mandates, international law and full respect for the primary responsibility of host States to protect their own civilian populations. However, we remain concerned about many issues, which I will not mention in my oral statement but which are listed in the text of the statement that we have circulated.

Furthermore, we trust that a legally binding treaty that would establish common international norms that are as strict as possible on the import, export and transfer of arms will be adopted at the final United Nations conference on the arms trade treaty, to be held in New York in March. The lack of such a universal instrument has a high toll in terms of human lives.

We recognize that important steps have been taken in the area of international justice to bring those responsible for violations to justice. The Security Council itself has provided important such examples by creating the International Tribunals for the Former Yugoslavia and Rwanda, respectively, and in referring the situations in Darfur and Libya to the International Criminal Court. In that regard, it should be stressed that the International Criminal Court is an ally of the Security Council in the fight against impunity for the worst crimes. We should not fail to take advantage of its preventive, dissuasive and punitive capacity. We call on all Member States to ratify the Rome Statute and to cooperate fully with the International Criminal Court.

I would like to conclude with a brief reference to the ample arsenal of preventive diplomacy at our disposal. We would recall that, in 2012, the Secretary-General presented his five-year plan of action, which included promoting the agenda of the responsibility to protect. As I suggested earlier, my delegation fully supports that priority, which in turn contributes to further shaping the subject of today's debate in spite of the differing concepts of the topic, which the Secretary-General himself has rightly brought to our attention.

The important message regarding the responsibility to protect is that it is expected of all members of the international community to observe a pattern of behaviour relevant to their respective populations. Notwithstanding, committing genocide, war crimes, ethnic cleansing or crimes against humanity or provocative actions that lead to those crimes should be considered totally prohibited.

States that do not meet that basic commitment must understand that they will face consequences. Our own heads of State jointly accepted the concept in 2005; the least that we can do now, seven years later, is to offer assurances that this important achievement continues evolving in its practical and operational application. We are pleased that the concept has been included in the draft presidential statement to be adopted today.

In defending the protection of civilians, we send a message of hope and a signal of our firm collective commitment. We are prepared to protect the vulnerable from the scourges caused by conflicts and other violations of peace and security. If we continue to act collectively, in time we will be able to fully fulfil our responsibility to protect our civilian populations.

Ms. Lucas (Luxembourg) (*spoke in French*): Luxembourg thanks the Republic of Korea for having organized during its presidency this open debate on a topic that is very dear to all of us, the protection of civilians in armed conflict.

I would also like to thank the Secretary-General, the High Commissioner for Human Rights and the Director for International Law and Cooperation of the International Committee of the Red Cross (ICRC) for their very informative presentations. One conclusion is clear: despite all efforts by the international community, notably the Security Council, the situation remains alarming. We must and can do better.

I welcome therefore the draft presidential statement prepared for this debate under the leadership of the delegation of the United Kingdom. It confirms the Council's commitment to protect civilians in armed conflict and strengthens the normative framework.

Luxembourg fully endorses the statement that will be made on behalf of the European Union.

At the most recent open debate of the Council on the protection of civilians, in June 2012 (see S/PV.6790), I focused on the tragic situation in Syria. Since then, the conflict in that country has become even more serious, with the Syrian civilian population as its first victim. The High Commissioner has recalled the staggering number of victims. When civilian populations are slaughtered on such a scale, when international humanitarian law

and international human rights law are violated on such a scale, the principle of accountability must be upheld.

It is for that reason that Luxembourg has supported the Human Rights Council's establishment of the independent international commission of inquiry on the human rights situation in Syria. It is also for that reason that we support, together with many other States, the initiative of Switzerland requesting the referral of the situation in Syria to the International Criminal Court (ICC).

In general terms, setting up international commissions of inquiry or fact-finding missions or referrals to the ICC have a preventative and dissuasive effect. The appropriate use of those measures by the Council can strengthen the protection of civilians. When a situation is referred to the ICC, the Council must, however, ensure effective follow-up, as well as give the Court the necessary resources for it to be able to do its work.

Today, 12 February, we observe the international day against the use of child soldiers. In 1996, in her landmark report (see A/51/306), Graça Machel made a powerful call to action, which I would like to echo here:

> "It is unconscionable that we so clearly and consistently see children's rights attacked and that we fail to defend them. It is unforgivable that children are assaulted, violated, murdered and yet our conscience is not revolted nor our sense of dignity challenged. This represents a fundamental crisis of our civilization. The impact of armed conflict on children must be everyone's concern and is everyone's responsibility; Governments, international organizations and every element of civil society. Each one of us, each individual, each institution, each country, must initiate and support global action to protect children. Local and national strategies must strengthen and be strengthened through international mobilization" (*A/51/306, para. 317*).

Today our conscience is revolted, but children continue to be recruited to go to war and they are the first victims of war, in Syria, but also in northern Mali, in Darfur, in the eastern part of the Democratic Republic of the Congo, in the Central African Republic and in other crisis situations. As Chair of the Council's Working Group on Children and Armed Conflict, Luxembourg commits, with the other members of the Council, to do everything it takes to fight this scourge.

Effectively protecting civilians in armed conflict is not possible without improving access to humanitarian assistance. It is necessary to ensure full, free and unimpeded humanitarian access to affected populations. We appreciate the efforts made to that end by the United Nations, first and foremost by the Office for the Coordination of Humanitarian Affairs and by other humanitarian actors, such as the ICRC.

However, all too often, unfortunately, parties to conflict restrict humanitarian access. We see it in Syria today, but also in the Sudanese states of Southern Kordofan and Blue Nile, where aerial bombardments coupled with the prohibition of cross-border humanitarian operations are trapping the civilian population.

The recommendations made by the Secretary-General in his 2012 report (S/2012/376) to improve the protection of civilians in armed conflict remain entirely relevant. Apart from the principle of accountability and from humanitarian access, which I have already referred to, it is necessary to address three core challenges, namely, enhancing compliance by parties to conflict with international law, enhancing compliance by non-State armed groups and strengthening the mandate for the protection of civilians of United Nations peacekeeping and other relevant missions.

As far as respect for laws and norms is concerned, we must respond to the challenge posed by the rising number of attacks and other acts of interference targeting specifically health-care personnel and infrastructure, a trend which has been well documented, notably by the ICRC. We are also deeply concerned by attacks against teachers and education infrastructure and the use of schools for military purposes and the recruitment of child soldiers.

Finally, we would like to take this opportunity to condemn the use of explosive weapons, including cluster munitions, in densely populated areas. According to data collected by non-governmental organizations in 2012, at least 25,000 civilians died or were injured by the use of explosive weapons in such areas, with 42 per cent of civilian victims of explosive weapons being children.

To conclude, I would like to pay tribute to the personnel serving in United Nations peacekeeping operations, who are working every day to protect civilians against all forms of violence, including sexual and gender-based violence. In order for United Nations

operations to fulfil their mandates effectively, we have the responsibility to provide them with the resources that they need. For its part, Luxembourg emphasizes on the necessity to deploy in the field, in every situation where it is necessary and in sufficient numbers, women protection advisers and child protection advisers. Their contribution is indispensable for the work of the United Nations. Luxembourg fully supports them in their difficult task.

Mr. Araud (France) (*spoke in French*): I would like to thank the Secretary-General, Ms. Pillay and Mr. Spoerri for their briefings.

France endorses the statements to be made by the observer of the European Union and by the representative of Switzerland, on behalf of the Group of Friends on the Protection of Civilians.

For France, the protection of civilians and human rights are a priority. We have proven that in Libya and we have proven that in Mali. At the request of the Malian authorities, France made a timely intervention to halt an offense by terrorist groups that were threatening Bamako. The very existence of Mali was at stake. What we refused to tolerate was the establishment of a terrorist State within Africa. What we prevented was the spread of huge human rights violations like those already committed by terrorist groups in northern Mali — executions, rapes, amputations and destruction of cultural heritage. With Malian troops we liberated Gao and Timbuktu.

In that context, we were mindful that resolution 2085 (2012) stipulated the deployment of human rights and humanitarian law observers, and we call for their swift deployment. Once the situation is stabilized, a United Nations peacekeeping operation will have to take over from our efforts. The protection of civilians will be an integral part of its mandate.

Providing robust mandates on the protection of civilians is a first step, and France is working on that. But it is also crucial to provide peacekeeping operations with the means to implement their mandates. That is what we are attempting to achieve in the Democratic Republic of the Congo.

The plight of civilians in that country is tragic. The number of internally displaced persons (IDPs) now stands at over 2.5 million people. There are 500,000 new IDPs in North Kivu alone since the beginning of the crisis, triggered by the Mouvement du 23 Mars (M-23). Reports indicate that looting, rape, summary executions and the recruitment of child soldiers continues. With the Congolese army barely able to shoulder its responsibilities and the M-23 still threatening the town of Goma and the region, the actions of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) must be stepped up. That requires bolstering its mandate, as the President of France called for during his visit to Kinshasa.

But the protection of civilians also requires the strengthening the capacities of the Mission. The recent decision of the Security Council to authorize and use drones for observation of the Kivu and border zones will enhance the observation capacities of MONUSCO, and thus its capacity to respond. It will act as a deterrent to illicit arms trafficking and the movement of armed groups.

Finally, the Security Council has also supported the provision of additional helicopters to MONUSCO to ensure greater mobility, and therefore greater effectiveness of the force.

In conclusion, let me mention the battle against impunity. The protection of civilians requires prosecuting perpetrators of serious human rights violations. It is true in Mali — a situation of which the International Criminal Court is seized. Atrocities committed should not go unanswered.

That is also true in the Syrian Arab Republic, where Bashar Al-Assad, ignoring the calls of the international community, continues to kill his own people. The figures that Ms. Pillay gave us today speak for themselves: over 60,000 dead, mainly civilians; hundreds of thousands of people injured; tens of thousands of people missing. In violation of the most fundamental rules of international law, the regime is using all the means at its disposal — heavy artillery, incendiary cluster bombs, ballistic missiles — and all in civilian areas. It spares neither women nor children. While 4 million people need emergency food aid, the Syrian authorities still refuse access for humanitarian aid to all populations in all areas. And they are increasing the number of obstacles to providing that aid. The perpetrators of war crimes and crimes against humanity perpetrated in Syria, starting with Bashar Al-Assad, will be held accountable to justice.

That is why we reiterate our appeal that the Council refer the situation in Syria to the International Criminal Court.

It gives no country any pleasure whatsoever to engage in military operations. France did so in Libya, which is now free from the yoke of dictatorship and is on the way to rebuilding after 40 years of dictatorship. It is doing that in Mali in a serious and determined manner while respecting international law as the situation requires. To those who continue to call for inaction, to those who prefer the comfort of words over the risks of action, to those who turn a deaf ear to the calls for help, we put before them the joy of liberated peoples.

Mr. Wang Min (China) (*spoke in Chinese*): China appreciates the initiative of the Republic of Korea in holding this open debate on the question of protecting civilians in armed conflict. We welcome Mr. Kim Sung-hwan, President of the Security Council for the month of February, as he presides over today's meeting. We would also like to thank the Secretary-General for his briefing. We listened attentively to the statements by Ms. Pillay, United Nations High Commissioner for Human Rights, and Mr. Spoerri, Director for International Law and Cooperation of the International Committee for the Red Cross.

Civilians represent the most vulnerable groups in wars and armed conflicts. In order to protect innocent civilians from harm resulting from armed conflicts, the Council has in the recent past adopted numerous resolutions and presidential statements, thereby playing an active role in promoting the protection of civilians, including women and children. However, civilians in many countries and regions are still subjected to devastation and harm as a result of armed conflict. The international community still faces an arduous task in terms of protecting civilians. China supports the Council in conducting in-depth discussions on the major challenges it confronts in considering the protection of civilians in armed conflicts, effectively promoting related work so as to achieve more constructive results.

I wish to highlight four points.

First, protecting civilians represents an unshirkable responsibility facing all parties to a conflict. All parties to an armed conflict should implement in earnest the Geneva Conventions, international humanitarian law and the relevant resolutions of the Council by making unremitting efforts to protect civilians. The Governments concerned have the primary responsibility for protecting innocent civilians in armed conflict. The concern and help of the international community should not replace the responsibility and obligation of the country concerned, related countries and their Governments, as well as the parties in response to conduct that violates human rights. As well as contributing to international humanitarian law, to pursue accountability and judicial justice, the first line of action is to fully utilize the domestic judicial system as the main channel.

Secondly, in carrying out actions to protect civilians in armed conflict, it is essential to comply with the purposes and principles of the Charter of the United Nations, in particular such principles as respecting national sovereignty, unity and territorial integrity. It is essential to avoid politicizing the protection of civilians. It is inadmissible to make arbitrary interpretations of Security Council mandates in the name of protecting civilians. It is even less so to carry out regime change under the same pretext. When it comes to protecting civilians, the Council should adopt a consistent position in all situations on its agenda. Double standards or select practices can only damage the authority and the role of the Council. When conducting humanitarian relief operations for the purpose of protecting civilians, it is imperative to observe such principles as humanitarian neutrality and objectivity. Only by winning the trust and support of host countries can we ensure the effective implementation of humanitarian relief operations.

Thirdly, in order to strengthen the protection of civilians in armed conflicts, it is essential to make greater effort in preventing and solving conflicts. The Council should place the protection of civilians in the larger framework of peacefully resolving conflicts. It should actively conduct preventive diplomacy to prevent and contain conflicts. The Council should go out of its way to urge all parties to conflict to resolve their differences through such peaceful means as dialogue and negotiation to achieve political settlement and minimize civilian casualties. Resorting to military means can more often than not result in bigger crises, resulting in more bloodshed and civilian casualties.

Fourthly, when considering a protection-of-civilians mandate for a peacekeeping operation, it is crucial to respect fundamental principles, such as the consent of host countries. Peacekeeping operations should always strictly observe the mandate of the Council by minimizing civilian casualties. However, they should also respect the sovereignty of the host country, ensure objectivity and impartiality and avoid becoming a party to the conflict.

Past experience and lessons learned have shown that the appropriate relationship between the two

aforementioned parties will have a significant impact on the effective implementation of peacekeeping operations. We should also acknowledge that relying solely on the deployment of peacekeeping operations cannot resolve the fundamental issue of the protection of civilians. The Council and the international community should consider the long term by paying close attention to and fully taking into account the conditions prevailing in the host country. As a priority, they should take steps to strengthen the host country's security and judicial sectors and to improve its ability to effectively protect civilians on its own.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We will only touch upon certain aspects of the issue of the protection of civilians in armed conflict, which has been discussed at length. The topic has been on the Council's agenda for almost 15 years. The Council regularly includes the protection of civilians in the mandates of peacekeeping operations. Moreover, the relevant provisions are contained in existing international legal documents.

However, despite the assurance of parties to an armed conflict that they are taking all precautionary measures, reports of cases of the disproportionate or indiscriminate use of force causing civilian deaths continue to reach us from war zones with alarming regularity. Such incidents include medical personnel, teachers, journalists and humanitarian staff, that is, those whom international humanitarian law categorizes as civilians and who should enjoy the unconditional protection of all parties to armed conflict. In that connection, we reiterate that guaranteeing the effective protection of civilians is possibly only by the parties to a conflict fully complying with their international commitments under international humanitarian law.

Far from being theoretical, such problems are of a practical nature, in particular given the fact that resolving such situations directly involves the Security Council. Civilian deaths as a result of the actions of those who should protect them clearly reflect a flaw in the system. Either precautionary measures are insufficient or they occur through the authorities mandated by the Security Council not fulfilling their obligation to protect civilians.

In that regard, unfortunately, we must once again note that, despite the calls of the United Nations High Commissioner for Human Rights and the Special Representative of the Secretary-General for Children and Armed Conflict, the circumstances of the civilian deaths in Libya as a result of NATO air strikes, as reported by journalists and investigated by the Human Rights Council, have still to be duly established. It is a matter of such fundamental issues as the need for scrupulous compliance with Security Council mandates for the protection of civilians and basic ethical norms, such as due apologies and material compensation. The issue of the protection of civilians is all the more in the spotlight in view of the practice of the targeted use of unmanned aircraft or drones, including in a cross-border context.

In that connection, we are concerned both about civilian deaths and the psychological stress inflicted on civilians living under the constant threat of a devastating missile strike. That issue is already a foremost priority of human rights bodies, including the Human Rights Council Special Rapporteur on the promotion and protection of human rights while countering terrorism. We call on the Security Council to remain focused on the issue. We believe that it is worth mentioning the positive experience of certain United Nations missions. For example, it seems important to examine in depth the experience of the United Nations Assistance Mission in Afghanistan, which, we understand, has developed a special mechanism for tracking civilian deaths.

In conclusion, we reiterate our position that the international community should take proactive steps to protect civilians, in particular if it involves the use of force, only if endorsed by the Security Council and with fullest compliance with the provisions of the Charter of the United Nations.

Mrs. Perceval (Argentina) (*spoke in Spanish*): At the outset, allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council. I also commend you for having convened this important open debate on the protection of civilians in armed conflict. As in every open debate on the subject, Argentina reiterates that the Security Council must remain committed to the protection of civilians in armed conflict through the promotion of full respect for international law, in particular international humanitarian law, human rights law and refugee law, as well as by combating impunity.

Argentina appreciates the report of the Secretary-General (S/2012/376) and its recommendations. Unfortunately, the report is lucid in stating that the state of the protection of civilians remains abysmal. It is therefore imperative to recall that the parties to an armed conflict are bound by the basic norm of

international humanitarian law, which provides that civilians must be protected from the effects of conflict. That obligation, contained in common article 3 of the four Geneva Conventions of 1949, is also applicable in the context of armed conflicts that are not of an international character, that is, to non-State combatants.

Argentina not only agrees with the report of the Secretary-General but also particularly thanks the High Commissioner for Human Rights, Ms. Pillay, and the International Committee of the Red Cross (ICRC) Director, Mr. Philip Spoerri, because, as well as being present, they both made statements this morning. We appreciate the presence of the highest authorities, which clearly demonstrates that full compliance with international humanitarian law is still a basic challenge for all States. The principles of distinction and proportionality are crucial. We must also recall the basic norm that non-compliance by one party to a conflict does not justify non-compliance by the other.

With regard to the promotion of compliance, it is important that Member States remain committed to ensuring awareness of the obligations imposed by international humanitarian law. In Argentina, international humanitarian law has been included as one of the most important aspects of international law in the curricula of law schools and in the training of the armed and security forces. In addition, Argentina participates in the joint initiative "Reclaiming the protection of civilians under international humanitarian law", one of whose undertakings is a series of seminars to promote compliance with international humanitarian law through practical recommendations. The delegation of Norway will certainly mention that initiative, which Argentina supports.

United Nations work is crucial to the protection of civilians in armed conflict, to preventing the emergence of situations of genocide, war crimes, ethnic cleansing and crimes against humanity, and to putting an end to such situations when they arise. My country shares the Secretary-General's observations with regard to the distinction between the protection of civilians in armed conflict and the responsibility to protect. However, to prevent violations of humanitarian law in armed conflict and the four crimes under the responsibility to protect from being committed, prevention is key. In that regard, we highlight the importance of full respect for human rights law and international humanitarian law.

Regarding action by the Security Council, my delegation wishes to underline the need for peacekeeping operations to comply with international humanitarian law, as well as the need to continue to include protection activities in the mandates of United Nations missions in the field. Those mandates have to be clear, and such missions must be provided with the necessary resources in a timely and effective manner.

As regards the integration of components, it is important to provide the necessary structure and staff in order to be able to protect women and children from all kinds of violence, in particular sexual and gender-based violence.

In that respect, I should like to note that Argentina, in cooperation with the ICRC, has developed courses on humanitarian law for the armed forces, with an emphasis on those that form part of the Argentine contingents in United Nations peacekeeping operations. I note also that the Commission on the Application of International Humanitarian Law has drawn up a manual on international law in armed conflicts, which contains a compilation of the norms of international humanitarian law for the conduct of armed forces in the context of operations. That will be effective only if it leads to the outcome that countries are seeking to achieve when they contribute to peacekeeping operations. We would like here, in drawing attention to the work of all peacekeepers, to commend Argentine peacekeepers — men and women — about whom there has never been a single complaint of violation of human rights or international humanitarian law.

As regards humanitarian assistance, the parties to a conflict must make every effort to ensure effective and timely access of such assistance, including shipments and materials, which enjoys special protection under international humanitarian law. Medical personnel and vehicles, as well as hospitals, must also benefit from such protection.

Fact-finding is another aspect that Argentina deems crucial. Impartial mechanisms are key to determining the facts regarding violations of international humanitarian and human rights law. In addition to ad hoc fact-finding commissions, including those established by the Human Rights Council, we would like to highlight the role of the International Humanitarian Fact-Finding Commission, established under Protocol I to the 1949 Geneva Conventions. Argentina welcomes the fact that, in conformity with the provisions of resolution 1894 (2009), the Security Council has recognized once again, in the draft presidential statement to be adopted later, the possibility of resorting to that Commission.

Lastly, the suffering of victims of armed conflict often continues beyond the end of hostilities, as they continue to be victims when they return to their communities. In that context, in addition to the challenges presented by post-conflict situations, we wish to refer to the role of justice. The Council established two international tribunals — the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda — and, at present, the international community is witnessing the consolidation of an international justice system for the most heinous crimes, including war crimes, that is no longer based on ad hoc tribunals but is permanent: the International Criminal Court (ICC), established by the Rome Statute in 1998. We would like to stress the need for cooperation by all States with the ICC, in particular regarding arrest warrants.

The Council should establish, as soon as possible, a mechanism to follow up closely on its referrals to the ICC. Argentina welcomes the fact that the draft presidential statement to be adopted later makes reference to both to the need for cooperation with the international tribunals and to the commitment of the Security Council to follow up on its decisions in that regard; this is something that has long been hoped for in the context of referrals to the ICC.

Argentina reiterates that, in accordance with international humanitarian law and the resolutions of the Council, attacks of any kind against civilians or other protected persons in situations of armed conflict, as well as the recruitment of child soldiers, all forms of violence against woman and interference with the delivery of humanitarian aid, constitute clear violations of international law.

I would therefore end by urging the fullest compliance with the obligations emanating from the Hague Conventions of 1899 and 1907; the four 1949 Geneva Conventions, which are universally accepted, and their Protocols of 1977; international human rights law; refugee law and the decisions of the Council. Standards must become reality.

The President: The Council has before it the text of a statement by the President on behalf of the Council on the subject of today's meeting. I thank Council members for their valuable contributions to that statement. In accordance with the understanding reached among the members of the Council, I shall take it that the members of the Council agree to the statement, which will be issued as a document of the Security Council under the symbol S/PRST/2013/2.

It is so decided.

I now give the floor to the representative of Brazil.

Mr. Patriota (Brazil): Let me congratulate the Republic of Korea for assuming the presidency of the Security Council for the month of February. I also thank you, Sir, for having convened this timely and important high-level debate on the protection of civilians in armed conflict.

I would like to greet Her Excellency Mrs. Louise Mushikiwabo, Minister for Foreign Affairs of Rwanda, and His Excellency Mr. Elmar Mammadyarov, Minister for Foreign Affairs of Azerbaijan, and thank them for their contribution to this debate.

I am equally grateful to Secretary-General Ban Ki-moon for his very informative briefing, as well as to High Commissioner Navi Pillay and Mr. Philip Spoerri, of the International Committee of the Red Cross, for their remarks.

As we gather to discuss this crucial item on the Council's agenda, our point of departure must be the acknowledgement that, as indicated by the Secretary-General in paragraph 2 of his latest report (S/2012/376), the state of affairs regarding the protection of civilians is "abysmal".

Civilians continue to be injured, displaced and killed in great numbers and subjected to all kinds of hardships in many parts of the world. It is our collective moral and political responsibility to confront this situation and offer improved prospects to civilians facing actual or potential risks.

The difficulties that have prevented us from adequately discharging our responsibilities in the area of the protection of civilians do not stem from differences on the fundamental ethics underlying the concept. They stem from differences that prevent us from translating our common ethics into agreed policies leading to coherent and effective results.

The use of force in the protection of civilians stands out as an issue that divides opinions, compromises efforts towards the peaceful settlement of disputes, and distances us from dealing with the multifaceted issues surrounding protection.

As regards the use of force, a Brazilian concept paper on "responsibility while protecting" (S/2011/701,

annex) was shared with the Security Council in 2011. In our view, resort to military action should always be an exceptional measure, after all peaceful means have been exhausted and only upon the authorization of the Council. If force is authorized, it must be judicious, proportionate and limited to the objectives established by the Council. We must be careful not to worsen situations that put civilians at risk and thus involuntarily contribute to further violence and instability. Furthermore, the Council should assure the wider membership that military action is monitored and resolutions are interpreted and implemented in a way that guarantees that the responsibility to protect is observed. Events in the recent past make us ponder whether direct military intervention and support for armed groups have led to improved circumstances for civilians or to further instability and violence.

However, even as we ponder past experience, we can easily agree on the notion that the most effective way to protect civilians is to prevent armed conflict and, should such conflict arise, to display a real commitment to its resolution by peaceful means. The Charter provides a basis for associating the maintenance of peace and security with the promotion of socioeconomic and institutional development, as well as respect for human rights. I had the opportunity to highlight this aspect in the debate under Brazil's presidency of the Council in February 2011 on the interdependence of peace, security and development (see S/PV.6479).

It is arguable that promoting sustainable development, poverty eradication and food security contributes to the promotion of peace and security by creating a more stable environment for civilians. Conversely, it is regrettable that the world spends enormous resources on the development of weapons and military budgets while we are still short of meeting official development assistance targets, as agreed on in the 2002 Monterrey Consensus. This disturbing situation was described by Secretary-General Ban Ki-moon in a powerful article published last August. As he said, the world is overarmed and peace is underfunded.

If we are to seriously commit to the protection of civilians, and if we all agree that the primary way to achieve that is by avoiding the emergence of conflict, we must seek to reverse that trend. As the Secretary-General said today, the upcoming conference on an arms trade treaty offers us an opportunity to take a meaningful step and to agree on rules that will help spare civilians the consequences of poorly monitored flows of arms.

On the nuclear disarmament and non-proliferation front, consistent and balanced progress needs to be made. We cannot afford to leave this agenda unfinished. In that context, let me state that the Brazilian Government condemns the new nuclear test carried out by the Democratic People's Republic of Korea. We urge that Government to fully comply with all the relevant Security Council resolutions on the matter. Brazil also associates itself with the statement to the press read out earlier this morning by the President of the Council.

In the same vein — approaching the protection of civilians as a means to avoid conflict — the Council should fully assume its responsibility regarding the plight of those who are victimized on a daily basis in protracted conflicts, such as that between Israel and Palestine. The protection of civilians must be implemented in a universal and non-selective manner. Civilians should be equally protected against threats of violence, be they in Homs or in Gaza, in Kandahar or Timbuktu. Multilateral efforts should be in line with international human rights law and international humanitarian law, including in the context of the fight against terrorism. In that context, Brazil welcomes the announcement by the United Nations Special Rapporteur on Counter-Terrorism and Human Rights concerning the launch of an inquiry into the civilian impact and human rights implications of the use of drones and other forms of targeted killing for counter-terrorism and counter-insurgency purposes.

We welcome the increased participation of regional organizations, such as the African Union, in efforts towards mediation and conflict resolution in coordination with multilateral efforts, in accordance with relevant provisions of the Charter. At the same time, we must recognize that coordination between the regional and the multilateral has not always been satisfactory, and that improved governance will be required to deal effectively with situations of instability in which civilians are placed at risk.

The complexity of the challenges involved requires inclusiveness in decision-making and in implementing decisions. In that respect, a word on the long-overdue reform of the Security Council is also justified. A more representative and legitimate Council can, and in my opinion will, help lead to decisions and strategies that contribute to avoid conflict and protect a greater number of civilians worldwide. Negotiating and building

common ground is the Council's fundamental task. In that regard, diplomacy is of the essence and should not be equated, as it sometimes is, with a lack of resolve. The phrase "there is no military solution" is being increasingly used and may reflect the recognition that we are entering a phase of greater openness to dialogue, negotiation and diplomacy — a tendency that Brazil would definitely support. Syria certainly comes to mind, and Brazil agrees with those who are of the view that there is no military solution to the Syrian crisis and that the Council should firmly and unequivocally rally behind the efforts of Joint Special Representative Lakhdar Brahimi, on the basis of the Geneva plan of action, which clearly opposes militarization.

I believe that, after recent experiences in the use of force for the protection of civilians, the international community can now better appreciate the value of conflict prevention and the peaceful settlement of disputes, including as tools to ensure the safety of those whom it wishes to protect. In conclusion, let me emphasize the importance of strategies that protect civilians in situations of conflict through non-military efforts. First, we see the need for a broader awareness of the importance of dealing with the prevention of conflict by peaceful means, including through the promotion of social and economic development, intensified efforts towards the full implementation of disarmament and non-proliferation commitments and by seriously confronting crucial challenges such as that presented by Israel and Palestine, among others. At the same time, in situations where conflicts do break out, we see the urgent necessity of placing more emphasis on diplomacy and dialogue as the primary tools for addressing them.

The President: There is still a large number of speakers remaining on my list for this meeting. Given the lateness of the hour, I intend, with the concurrence of the members of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.55 p.m.